

REMARKS

The rejection of Claims 1 and 2 under 35 U.S.C. § 112, ¶ 2 is traversed, and reconsideration is respectfully requested, particularly in light of the foregoing amendments to Claim 1.

Applicants cannot agree that the characterization of their method claims as “generally narrative” means that they are indefinite. A narrative aspect seems to be an essential and inescapable aspect of method claims. In any event, Applicants have revised the claims without any limitations being introduced therein to recite their method in positive steps from which it should now be clear that there is no conflict among the various steps.

The Office Action expresses that the Office has interpreted these limitations as best understood. As will be more apparent from the following discussion of the Section 102(b) rejection, that interpretation is flawed on its face as is also the case with regard to the interpretation of the Falk patent.

The rejection of Claims 1-13 as being anticipated by Falk et al., under 35 U.S.C. § 102(b) is traversed, and reconsideration is respectfully requested.

At the very outset, the relevance of Falk et al., to the claimed subject matter is called into question by the Office Action’s assertion that the disclosure of Falk et al., anticipates Claim 3 (situating the subscriber station in a motor vehicle, etc.) or Claim 4 (station identification contains a vehicle-specific

parameter). As to the former claim, the Office Action relies upon col. 1, lines 27-38 of Falk et al. That portion of the reference discusses conventional authentication systems, in particular ATM's and credit card gas station terminals, but nothing whatsoever about devices used in motor vehicles. Likewise, with regard to the latter claim, the Office Action relies upon the Falk et al., abstract. However, there is nothing whatsoever in that abstract which would suggest to even the most skilled person in the art that a vehicle-specific parameter was a feature of the Falk et al., user authentication method and apparatus.

In connection with the foregoing, Applicants would point out that the present invention which provides an automatic log-in, with somewhat impaired security, is acceptable in a situation such as a motor vehicle where, as the Applicants recognized, automatic log-in can be tolerated because entry to the motor vehicle requires a first level of security. Thus, Applicants devised an acceptable automatic log-in method that avoids inconvenience to the vehicle occupant by eliminating the need for password entry.

Regardless of where the subscriber station is used, however, the Falk et al., log-in method is not even suggestive of that which Applicants cover in amended Claim 1, namely activation of an automatic log-in feature with establishment, transmittal and storage of a secret (or closed) code. Falk et al., teaches nothing whatsoever about a user's ability to implement an automatic log-in from the subscriber station. To the contrary, the Falk et al., authentication

process is intended for users who carry a personal device that can be used in a variety of electronic service terminals but does not have an initial level of security as may, for example, be required to gain access to a vehicle. The person unit 20 in the Falk et al., method presumably something like a cell phone, transmits a service request over a network body, whereby a challenge code is generated in an authentication center 30 and sent back to the personal unit 20. Thereupon, the user is prompted to input a PIN or other identifying information. That is, even though the Falk et al., method can be used with multiple service nodes, it always uses what is, in effect, a password:

The PIN code used to activate the calculation of a response in the personal unit 20 is the only “password” or PIN that must be memorized by the user.

(col. 9, lines 1-4). No such memorization is required of the user of the present invention once the automatic log-in has been initiated so as to dispense without the need for transmitting to the external information system the user's password, the station identification and the secret code. Falk et al., does not even suggest the claimed method.

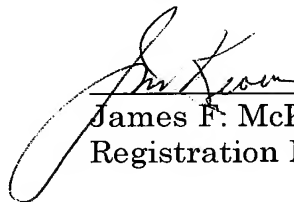
Accordingly, early and favorable action is earnestly solicited.

If there are any questions regarding this amendment or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323 (Docket #080437.52250US).

Respectfully submitted,

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